

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
ABINGDON DIVISION

CLERK'S OFFICE U.S. DISTRICT COURT  
AT ABINGDON, VA  
FILED

MAR 28 2023

LAURA A. ALSTIN, CLERK  
BY: A. Meade  
DEPUTY CLERK

UNITED STATES OF AMERICA ) Criminal No. \_\_\_\_\_  
 )  
v. )  
 )  
MIDWEST VETERINARY SUPPLY, INC. )

**AGREED ORDER OF FORFEITURE**

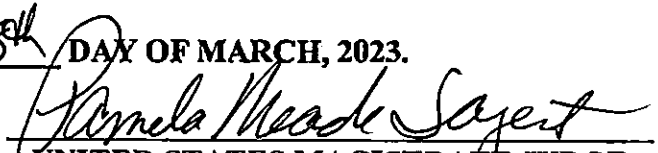
**IT IS HEREBY ORDERED THAT:**

- A. Pursuant to Rule 32.2(b)(1)(A) of the Federal Rules of Criminal Procedure, the evidence of record and the guilty plea to Count One of the Information, misbranding a drug, in violation of 21 U.S.C. §§ 331(a), 333(a)(1), and 352(f)(1), the defendant shall forfeit to the United States quantities of prescription veterinary drugs that were misbranded when introduced into interstate commerce and/or when being held for sale in interstate commerce, pursuant to 21 U.S.C. § 334 and 28 U.S.C. § 2461.
- B. Pursuant to the defendant's plea agreement, because the above-described forfeitable property, as a result of the defendant's acts, has been transferred or sold to third parties and cannot be located upon the exercise of due diligence, a money judgment in the amount of \$10,150,014 (ten million one hundred fifty thousand fourteen dollars) is hereby entered against the defendant as a substitute asset pursuant to 21 U.S.C. § 853(p).
- C. On or before 7 days from the date of entry of its guilty plea, the defendant will voluntarily remit partial payment in the amount of \$3,500,000 (three million five hundred thousand dollars) in partial satisfaction of the money judgment by remitting certified funds made payable to the U.S. Marshals Service, Asset Forfeiture Unit, 247 Federal Building, 210 Franklin Road, S.W., Roanoke, Virginia 24011.
- D. On or before January 31, 2024, the defendant will voluntarily remit partial payment in the amount of \$3,500,000 (three million five hundred thousand dollars) in partial satisfaction of the money judgment by remitting certified funds made payable to the U.S. Marshals Service, Asset Forfeiture Unit, 247 Federal Building, 210 Franklin Road, S.W., Roanoke, Virginia 24011.
- E. On or before May 31, 2024, the defendant will voluntarily remit the remaining payment in the amount of \$3,150,014 (three million one hundred fifty thousand

fourteen dollars) in full satisfaction of the money judgment by remitting certified funds made payable to the U.S. Marshals Service, Asset Forfeiture Unit, 247 Federal Building, 210 Franklin Road, S.W., Roanoke, Virginia 24011.


- F. As payments are voluntarily being remitted to the United States, notice and publication are not required.
- G. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).
- H. Pursuant to Fed. R. Crim. P. 32.2(b)(4), this Order of Forfeiture shall become final as to the defendant upon entry, and shall be made a part of the sentence and included in the judgment.

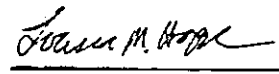
ENTERED THIS 28<sup>th</sup> DAY OF MARCH, 2023.

  
UNITED STATES MAGISTRATE JUDGE


SEEN AND AGREED TO:

For Midwest Veterinary Supply:

  
Jeff Burkhamer  
President and Authorized Corporate Officer  
Midwest Veterinary Supply, Inc.

  
Lousene Hoppe  
Joseph Dixon  
Fredrikson & Byron, P.A.  
Counsel for Midwest Veterinary Supply, Inc.

For the United States:

  
for Krista Frith  
Assistant United States Attorney